IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Wolfgang Otto BUDDE, et al.

Serial No. 10/542,059

Filed: December 2, 2005

Title: METHOD AND ARRANGEMENT FOR ASSIGNING NAMES TO DEVICES IN
            A NETWORK

Atty. Docket

DE030020US1

Confirmation No. 8936

Group Art Unit: 2453

Examiner: BENOIT, Esther

Mail Stop Appeal Brief-Patents
Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

APPELLANTS' REPLY BRIEF

Sir:

In response to the Examiner's Answers mailed on October 27, 2010, please

consider the following remarks:

REMARKS

Appellants maintain the arguments submitted in the Appeal Brief filed on January 5, 2010, which is incorporated herein by reference. Further, Appellants refute the allegations made in the Examiner's Answer of October 27, 2010.

In particular, in the Response to Argument section beginning on page 11 of the Examiner's Answer of October 27, 2010, it is alleged that the present invention is obvious over U.S. Patent Application Publication No. 2002/0174270 (Stecyk), U.S. Patent No. 6,791,467 (Ben-Ze'ev), and KR 2002011029 A (Kim, also referred to as Derwent in the Examiner's Answer), because Kim allegedly discloses the following features recited in independent claim 1, and similarly recited in independent claims 9-11 (illustrative emphasis provided):

> wherein **in response** to a <u>user entering</u> the desired device <u>name</u> in the mobile input unit **and** <u>bringing</u> the mobile input unit **within the range**, the desired device name is **automatically** <u>transmitted</u> from the mobile input unit to the device **and** the name memory of the device is **overwritten** with the desired device name.

It is alleged that these features of independent claims 1 and 9-11 are obvious because "Kim discloses using a remote controller to change the name of a home network device." (Examiner's Answer, page 12, lines 5-6) This allegation is respectfully traversed.

As discussed in the Appeal Brief filed on January 5, 2010, Kim sets a name <u>in</u> <u>response to a user selecting a name</u> from a displayed list of names prepared by a manufacturer. The user may use a remote control to select the name. That is, the user

selects a name, e.g., using a remote controller, from the displayed list and a corresponding

device is changed to the selected name. Any name change is **NOT** in response to

selecting a name **and bringing any mobile unit within range** of a device. In fact, Kim

does not even appear to disclose any mobile devices except the remote controller, which is

only used to select a name from a displayed list.

In Kim, the name is changed in response to the user selecting a name from a

displayed list, where the name selection is performed using a remote controller. That is,

the remote controller is used to scroll through the displayed list of names and select a

name. Once the name is selected, then the name of a device is changed. Kim is

completely silent and does not disclose or suggest to automatically transmit a name from a

mobile input unit to the device is overwritten a memory with the transmitted name **in**

response to a user entering the name in the mobile input unit **and bringing the mobile**

input unit within the range, as recited in independent claims 1 and 9-11.

It is further submitted that this feature is also nowhere disclosed or suggested in

Stecyk and Ben-Ze'ev, as admitted by the Examiner, such as on page 5, second full

paragraph of the Examiner's Answer. Further, Ben-Ze'ev discloses in the sections noted

on page 5, lines 2-3 of the Examiner's Answer, namely, on column 11, lines 15-24, column

14, lines 53-64, and column 8, lines 53-64, that communication is limited to a short range to

reduce interference with other devices, and identification signals are exchanges with two

devices are within a short range, such as displaying a garage door open button on remote

control when within range of a garage door opener. Such a disclosure has nothing to do with overwriting a memory with a name by bringing a mobile unit within range.

In summary, it is respectfully submitted that Stecyk, Ben-Ze'ev, Kim, and combination thereof do not disclose or suggest that "**in response** to a user entering the desired device name in the mobile input unit and **bringing the mobile input unit within the range**, the desired device name is automatically transmitted from the mobile input unit to the device and **the name memory of the device is overwritten** with the desired device name," as recited in independent claim 1, and similarly recited in independent claims 9-11. (Illustrative emphasis provided)

Based on the foregoing, it is respectfully requested that the rejection under 35 U.S.C. §103(a) of independent claims 1 and 9-11 be reversed, and independent claims 1 and 9-11 be allowed. In addition, it is respectfully submitted that claims 2-8 and 12-13 should also be allowed at least based on their dependence from independent claims 1 and 11.

Page 12, last paragraph also alleges that column 8, lines 51-58 of Ben-Ze'ev discloses or suggests that "means to limit the range so that communication between the mobile input unit and the device is of a shorter range than communication between two devices ," as recited in claims 3. (Illustrative emphasis provided) This allegation is respectfully traversed.

In particular, column 8, lines 51-58 of Ben-Ze'ev specifically recite:

> The system 20 of the application preferably operates in one of said protocols, however any other suitable communication protocol or frequency range may be used instead. The transmitters and receivers of the remote controller, as well as of each one of the appliances, are <u>intentionally</u> designed to enable communication over a <u>short range</u>, generally of no more than about 100 meters, in order <u>to limit the communication to a close range, thereby not interfering with other</u> environment/s operating in the same ISM band.

That is, this noted section of Ben-Ze'ev merely discloses to limit the communication range so as not to interfere with other devices. Such a disclosure has nothing to do, and does not disclose or suggest, two different ranges, one limited or short range for overwritten the name memory, and another longer range for other communication, where a device includes "means to <u>limit the range [for overwritten the name memory]</u> so that communication between the mobile input unit and the device is of a <u>shorter range than communication</u> between two devices," as recited in claims 3. (Illustrative emphasis provided) Accordingly, it is respectfully requested that the rejection under 35 U.S.C. §103(a) of claim 3 be reversed, and claim 3 be allowed.

In addition, Appellants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Appellants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

CONCLUSION

Claims 1-13 are patentable over Stecyk, Ben-Ze'ev and Kim.

Thus, the Examiner's rejections of claims 1-13 under 35 U.S.C. §103(a) over Stecyk,

Ben-Ze'ev and Kim should be reversed.

Respectfully submitted,

By_____
Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
December 20, 2010

THORNE & HALAJIAN, LLP
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101

Please direct all inquiries and correspondence to:
Michael E. Belk, Reg. 33,357
Philips Intellectual Property & Standards
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
(914) 333-9643